

Hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 7, 2006

Signature:

(Lisa M. Terry)

Docket No.: 60680-2030  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201-Conf. #6260

Filed: October 14, 2003

Art Unit: N/A

For: ELECTROCHEMICAL SYSTEM

Examiner: Not Yet Assigned

**RECEIVED  
CENTRAL FAX CENTER****AUG 07 2006****PETITION FOR REVIVAL OF AN APPLICATION FOR  
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. It is submitted, therefore, that on the basis described above the abandonment should be held to be inadvertent and the case revived. Facts supporting a finding of unintentional abandonment are as follows:

1. Applicant's representative filed a timely response to the Notice of Missing Parts on February 8, 2006. The response filed on February 8, 2006 is shown as exhibit A.
2. On May 15, 2006, Applicants received a Notification of Defective Response from the U.S. Patent Office stating that the oath or declaration did not comply with 37 CFR 1.497 in that inventor #7, Johann Waldvogel, was not listed in the International Application.

Application No.: 10/531,201

Docket No.: 60680-2030

3. Mr. Waldvogel was not added to the International Application until the PCT procedure was nearly complete. Therefore, Applicant could not provide the PCT/IB/306 showing the addition of Mr. Waldvogel.
4. Applicant took immediate steps to add Mr. Waldvogel in the U.S. national phase by preparing the appropriate documentation adding Mr. Waldvogel as an inventor. However, there was a delay in receiving the necessary documents from Mr. Waldvogel as he was out of town and therefore was unreachable to the Applicant. Upon his return, Mr. Waldvogel promptly executed the necessary documents. Unfortunately, by the time they reached Applicant's representative, the time period for replying to the Notification of Defective Response as well as the Notice of Missing Parts had lapsed.
5. As you can see from the above, the entire delay has clearly been unintentional. Moreover, Applicant has not delayed in filing a petition to revive once the appropriate documents were received from Mr. Waldvogel. No Notice of Abandonment has been issued to date. Accompanying this petition is the necessary paperwork from Mr. Waldvogel to appropriately add him as an inventor to include:
  - a. Statement under 37 C.F.R. Section 3.73(b) Establishing Right of Assignee to take Action
  - b. Declaration of Non-Deceptive Intent by Johann Waldvogel
  - c. Statement Agreeing to Change Inventorship in Patent Application By Correctly named Inventors

~~Application No. 10/531,201~~~~Docket No. 60680-2030~~

Applicant respectfully requests that the holding of abandonment be withdrawn.

Please charge our Deposit Account No. 18-0013 in the amount of \$1500 for covering the fee set forth in 37 CFR 1.17(m). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-0013, under Order No. 60680-2030. A duplicate copy of this paper is enclosed.

Dated: August 7, 2006

Respectfully submitted,

By 

Michael B. Stewart

Registration No.: 36,018

RADER, FISHMAN & GRAUER PLLC

39533 Woodward Avenue, Suite 140

Bloomfield Hills, Michigan 48304

(248) 594-0656

Attorney for Applicant

R0286401.DOC

**FAX TRANSMISSION****RECEIVED**  
**CENTRAL FAX CENTER****AUG 07 2006****DATE:** August 7, 2006**PTO IDENTIFIER:** Application Number 10/531,201-Conf. #6260

Patent Number

**Inventor:** Raimund Ströbel et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** RADER, FISHMAN & GRAUER PLLC

Michael B. Stewart

**PHONE:** (248) 594-0633**Attorney Dkt. #:** 60680-2030**PAGES (Including Cover Sheet):** 22

**CONTENTS:** Petition to Revive Application Unintentionally Abandoned (3 pages)  
Fee Transmittal (1 page)  
Exhibit A to Petition  
Statement under 37 CFR Section 3.73 (b) Establish right of Assignee To Take Action  
Declaration of Johann Waldvogel Non-Deceptive Intent  
Statement Agreeing to Change Inventorship In Patent Application By Correctly Named Inventors  
Charge \$1,500.00 to deposit account 18-0013  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (248) 594-0633 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**RADER, FISHMAN & GRAUER PLLC**

39533 Woodward Avenue, Suite 140, Bloomfield Hills, Michigan 48304

**Telephone:** (248) 594-0600 **Facsimile:** (248) 594-0610

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AUG 07 2006

PTO/SB/97 (09-04)

Approved for use through 6/10/2008. OMB 0851-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/531,201

Attorney Docket No.: 60680-2030

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on August 7, 2006  
Date



Signature

Lisa M. Terry

Typed or printed name of person signing Certificate

Registration Number, if applicable

(248) 593-3321

Telephone Number

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Petition to Revive Application Unintentionally Abandoned (3 pages)

Fee Transmittal (1 page)

Statement under 37 CFR Section 3.73 (b) Establish right of Assignee To Take Action

Declaration of Johann Waldvogel Non-Deceptive Intent

Statement Agreeing to Change Inventorship In Patent Application By Correctly Named Inventors

Charge \$1,500.00 to deposit account 18-0013

PTO/SB/17 (01-06)  
 Approved for use by the U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

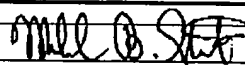
<b>FEE TRANSMITTAL</b> <b>For FY 2006</b>		<b>Complete If Known</b>	
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4918).		Application Number	10/531,201-Conf. #6260
<input type="checkbox"/> Applicant claims small entity status...See 37 CFR 1.27		Filing Date	October 14, 2003
<b>TOTAL AMOUNT OF PAYMENT</b>		First Named Inventor	Raimund Strobel
(\$ ) 1,500.00	Attorney Docket No.	Examiner Name	Not Yet Assigned
		Art Unit	N/A
		Attorney Docket No.	60680-2030

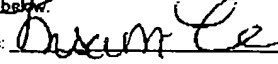
**RECEIVED**  
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**AUG 07 2006**

<b>METHOD OF PAYMENT (check all that apply)</b>	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input checked="" type="checkbox"/> Deposit Account	<input type="checkbox"/> Other (please identify):
Deposit Account Number: 18-0013	Deposit Account Name: Rader, Fishman & Grauer PLLC
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

<b>FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		<b>Fees Paid (\$)</b>	
<b>Application Type</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
<b>Fee Description</b>						<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>		<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
HP = highest number of total claims paid for, if greater than 20.							
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>				
HP = highest number of independent claims paid for, if greater than 3.							
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
- 100 =	150	(round up to a whole number) x					
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)						<b>Fees Paid (\$)</b>	
Other (e.g., late filing surcharge): 1453 Petition to revive unintentionally abandoned ...						1,500.00	

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	36,018
Name (Print/Type)	Michael B. Stewart	Telephone	(248) 594-0633
		Date	August 7, 2006

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: August 7, 2006	Signature:  (Lisa M. Terry)

Docket No.: 60680-2030

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

RECEIVED  
CENTRAL FAX CENTER

AUG 07 2006

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

STATEMENT UNDER 37 C.F.R. SECTION 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

## IDENTIFICATION OF ASSIGNEE

2. Name of assignee: Reinz-Dichtungs-GmbH  
Type of assignee: Corporation

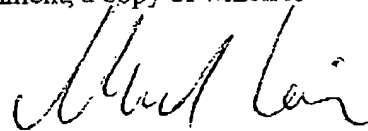
## PERSON AUTHORIZED TO SIGN

3. Name of person authorized to sign on behalf of assignee: Manfred Birkle  
Title of person authorized to sign: Managing Director

I, the person signing below, states that I am empowered to sign this statement on behalf of the assignee.

## BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established by an assignment, a copy of which is attached hereto, from the inventors of the matter identified above.



Signature of Authorized Person

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (573) 273-8300, on the date shown below.

Dated: 8/7/06 2006 Signature: [Signature]  
(Alisa M. Haggemo)

Docket No.: 60680-2030

(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

**RECEIVED  
CENTRAL FAX CENTER****AUG 07 2006****DECLARATION OF JOHANN WALDVOGEL  
NON-DECEPTIVE INTENT**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Johann Waldvogel, who is being added as an inventor by the Petition being submitted to correct the inventorship of this application, and having been advised that willful false statements and the like are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001, and may jeopardize the validity of the application or any patent issuing thereon, hereby make the following declaration:

1. I am a co-inventor in the above-identified application for patent.
2. Through error I was not listed as an inventor in the initial priority PCT application.
3. The inventorship error in failing to include my name as an inventor on the PCT application occurred without any deceptive intention on my part.

Respectfully submitted,

Date: July 2, 2006

[Signature]  
Johann Waldvogel



I hereby certify that this correspondence is being facsimile transmitted to the  
Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown  
below.

Date: 8/1/06

2006 Signature:

  
(Aissa M. Haggam)

Docket No.: 60680-2030  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

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AUG 07 2006

**STATEMENT AGREEING TO CHANGE INVENTORSHIP IN PATENT**  
**APPLICATION BY CORRECTLY NAMED INVENTORS (37 c.f.r. § 1.324(B)(2))**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Raimund Ströbel, an inventor signing below and who is correctly named in the above-identified patent, make the following statement in support of the petition to correct the inventorship of this patent:

- ☒ I agree to the change of inventorship of this application for patent.
- ☒ I have no disagreement in regard to the requested change of inventorship of this application for patent.

Respectfully submitted,



Raimund Ströbel

Date: July 5, 2006

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (877) 273-8300, on the date shown below.

Dated: 8/7/06 Signature: [Signature]  
(Ailsa M. Haggren)

Docket No. 60680-2030  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

RECEIVED  
CENTRAL FAX CENTER  
AUG 07 2006

**STATEMENT AGREEING TO CHANGE INVENTORSHIP IN PATENT  
APPLICATION BY CORRECTLY NAMED INVENTORS (37 c.f.r. § 1.324(B)(2))**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Bernd Gaugler, an inventor signing below and who is correctly named in the above-identified patent, make the following statement in support of the petition to correct the inventorship of this patent:

- ☒ I agree to the change of inventorship of this application for patent.
- ☒ I have no disagreement in regard to the requested change of inventorship of this application for patent.

Respectfully submitted,

Date: July 5, 2006

[Signature]  
Bernd Gaugler

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: 8/7/06 2006 Signature: [Signature]  
(Alisa M. Haggemo)

Docket No.: 60680-2030  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Raimund-Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

**STATEMENT AGREEING TO CHANGE INVENTORSHIP IN PATENT**  
**APPLICATION BY CORRECTLY NAMED INVENTORS (37 c.f.r. § 1.324(B)(2))**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Albrecht Sailer, an inventor signing below and who is correctly named in the above-identified patent, make the following statement in support of the petition to correct the inventorship of this patent:

☒ I agree to the change of inventorship of this application for patent.

☒ I have no disagreement in regard to the requested change of inventorship of this application for patent.

Respectfully submitted,

Date: July 5, 2006

[Signature]  
Albrecht Sailer

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300 on the date shown below.

Dated: 8/7/06

Signature: 

Aisa M. Haggano

Docket No.: 60680-2030

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

**STATEMENT AGREEING TO CHANGE INVENTORSHIP IN PATENT  
APPLICATION BY CORRECTLY NAMED INVENTORS (37 c.f.r. § 1.324(B)(2))**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Claudia Kunz, an inventor signing below and who is correctly named in the above-identified patent, make the following statement in support of the petition to correct the inventorship of this patent:

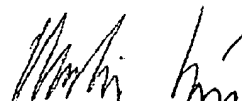


I agree to the change of inventorship of this application for patent.




I have no disagreement in regard to the requested change of inventorship of this application for patent.

Respectfully submitted,

  
\_\_\_\_\_  
Claudia Kunz

Date: July 5, 2006

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (877) 273-8300, on the date shown below.

Dated: 8/7/06 2006 Signature: 

(Alisa M. Hoggemo)

Docket No.: 60680-2030  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

**STATEMENT AGREEING TO CHANGE INVENTORSHIP IN PATENT**  
**APPLICATION BY CORRECTLY NAMED INVENTORS (37 c.f.r. § 1.324(B)(2))**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Joachim Scherer, an inventor signing below and who is correctly named in the above-identified patent, make the following statement in support of the petition to correct the inventorship of this patent:

- ☒ I agree to the change of inventorship of this application for patent.
- ☒ I have no disagreement in regard to the requested change of inventorship of this application for patent.

Respectfully submitted,

  
Joachim Scherer

Date: July 5, 2006

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the day shown below.

Dated: 8/7/06

2006 Signature: 

(AUSA: ALH/CH/CH/NO)

Docket No.: 60680-2030  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

**STATEMENT AGREEING TO CHANGE INVENTORSHIP IN PATENT**  
**APPLICATION BY CORRECTLY NAMED INVENTORS (37 c.f.r. § 1.324(B)(2))**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


I, Christian Schleier, an inventor signing below and who is correctly named in the above-identified patent, make the following statement in support of the petition to correct the inventorship of this patent:

☒ I agree to the change of inventorship of this application for patent.

☒ I have no disagreement in regard to the requested change of inventorship of this application for patent.

Respectfully submitted,

Date: July 5, 2006

  
Christian Schleier

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: February 8, 2006

Signature: 

Exhibit: A

Docket No. 60680-2030-1

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

RECEIVED  
CENTRAL FAX CENTER

AUG 6 7 2006

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed January 5, 2006, Applicant respectfully submits a Combined Declaration and Power of Attorney and Part 2 Copy of Notice.

Please charge our Deposit Account No. 18-0013 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-0013, under Order No. 60680-2030. A duplicate copy of this paper is enclosed.

Dated: February 8, 2006

Respectfully submitted,

By 

Michael B. Stewart

Registration No.: 36,018

RADER, FISHMAN &amp; GRAUER PLLC

39533 Woodward Avenue

Suite 140

Bloomfield Hills, Michigan 48304

(248) 594-0633

Attorney for Applicant

R0337212.DOC

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: February 8, 2006

Signature: 

(Ailsa M. Haggemo)

Docket No. 60680-2030

(PATENT)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Raimund Ströbel et al.

Application No.: 10/531,201

Filed: October 14, 2003

For: ELECTROCHEMICAL SYSTEM

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dated: February 8, 2006

Respectfully submitted,

By 

Michael B. Stewart

Registration No.: 36,018

RADER, FISHMAN & GRAUER PLLC

39533 Woodward Avenue

Suite 140

Bloomfield Hills, Michigan 48304

(248) 594-0633

Attorney for Applicant

R0337212.DOC





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/531,201

FIRST NAMED APPLICANT

Raimund Strobel

ATTY. DOCKET NO.

60680-2030

INTERNATIONAL APPLICATION NO.

PCT/EP03/11347

I.A. FILING DATE

10/14/2003

PRIORITY DATE

10/14/2002

10291

1465  
RADER, FISHMAN & GRAUER PLLC  
39533 WOODWARD AVENUE  
SUITE 140  
BLOOMFIELD HILLS, MI 48304-0610

CONFIRMATION NO. 6260

371 FORMALITIES LETTER

OC000000017789969\*

Date Mailed: 01/05/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/13/2005
- Copy of the International Search Report filed on 04/13/2005
- Preliminary Amendments filed on 04/13/2005
- Information Disclosure Statements filed on 04/13/2005
- U.S. Basic National Fees filed on 04/13/2005
- Priority Documents filed on 04/13/2005
- Specification filed on 04/13/2005
- Claims filed on 04/13/2005
- Abstracts filed on 04/13/2005
- Drawings filed on 04/13/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity.

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,201	PCT/EP03/11347	60680-2030

FORM PCT/DO/EO/905 (371 Formalities Notice)

Attorney's Docket No: 60680-2030 (Dana Case 6927 REIN)

PTO/SB/103 (8-96)

Approved for use through 9/30/98. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## Declaration and Power of Attorney for Patent Application Erklärung für Patentanmeldungen mit Vollmacht

### German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit an Eides Statt:

daß mein Wohnsitz, meine Postanschrift und meine Staatsangehörigkeit den im nachstehenden nach meinem Namen aufgeführten Angaben entsprechen, daß ich nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Name angegeben ist) oder ein ursprünglicher, erster und Miterfinder (falls nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent für die Erfindung mit folgendem Titel beantragt wird:

#### ELECTROCHEMICAL SYSTEM

deren Beschreibung hier beigelegt ist, es sei denn (in diesem Falle Zutreffendes bitte ankreuzen), diese Erfindung

- ☐ wurde angemeldet am  
unter der US-Anmeldenummer oder unter der  
Internationalen Anmeldenummer im Rahmen des  
Vertrags über die Zusammenarbeit auf dem Gebiet  
des Patentwesens (PCT).

Ich bestätige hiermit, daß ich den Inhalt der oben angegebenen Patentanmeldung, einschließlich der Ansprüche, die durch einen oben erwähnten Zusatzantrag und in einem "preliminary amendment" abgeändert wurden, durchgesehen und verstanden habe.

Ich erkenne meine Pflicht zur Offenbarung jeglicher Informationen an, die eventuell zur Prüfung der Patentfähigkeit in Einklang mit Titel 37, Code of Federal Regulations, § 1.56 von Belang sind.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

#### ELECTROCHEMICAL SYSTEM

the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on April 13, 2005 as U.S. Serial No.  
10/531,201

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above and as amended in a preliminary amendment.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

(Page 1 of 4)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

Attorney's Docket No: 60680-2030 (Dana Case 6927 REIN)

PTO/SB/103 (8-96)

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## German Language Declaration

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäß Title 35, US-Code, § 119 (a)-(d), bzw. § 365(b) aller unten aufgeführten Auslandsanmeldungen für Patente oder Erfinderrkunden, oder §365(a) aller PCT internationalen Anmeldungen, welche wenigstens ein Land ausser den Vereinigten Staaten von Amerika benennen, und habe nachstehend durch ankreuzen sämtliche Auslandsanmeldungen für Patente bzw. Erfinderrkunden oder PCT internationale Anmeldungen angegeben, deren Anmeldetag dem der Anmeldung, für welche Priorität beansprucht wird, vorangeht.

I hereby claim foreign priority under Title 35, United States Code, §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Applications  
(Frühere ausländische Anmeldungen)

Priority Not Claimed  
Priorität nicht beansprucht

102 48 531.3 Germany

14 October 2002

☐

203 08 332.6 Germany

22 May 2003

☐

PCT/EP03/011347 WIPO

14 October 2003

☐

Number Country

Day/Month/Year Filed

☐

Ich beanspruche hiermit Prioritätsvorteile unter Title 35, US-Code, § 119(e) aller US-Hilfsanmeldungen wie unten aufgezählt.

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application No. , filed on

Application No. , filed on

Ich beanspruche hiermit die mir unter Title 35, US-Code, § 120 zustehenden Vorteile aller unten aufgeführten US-Patentanmeldungen bzw. § 365(c) aller PCT internationalen Anmeldungen, welche die Vereinigten Staaten von Amerika benennen, und erkenne, insofern der Gegenstand eines jeden früheren Anspruchs dieser Patentanmeldung nicht in einer US-Patentanmeldung, bzw. PCT internationalen Anmeldung in in einer gemäß dem ersten Absatz von Title 35, US-Code, § 112 vorgeschriebenen Art und Weise offenbart wurde, meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Title 37, Code of Federal Regulations, § 1.56 von Belang sind und die im Zeitraum zwischen dem Anmeldetag der früheren Patentanmeldung und dem nationalen oder im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentwesens (PCT) gültigen internationalen Anmeldetags bekannt geworden sind.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application No. , filed on

Status: patented/pending/abandoned)

Application No. , filed on

Status: patented/pending/abandoned)

Ich erkläre hiermit, daß alle in der vorliegenden Erklärung von mir gemachten Angaben nach bestem Wissen und Gewissen der Wahrheit entsprechen, und ferner daß ich diese eidesstattliche Erklärung in Kenntnis dessen ablege; daß wissentlich und vorsätzlich falsche Angaben oder dergleichen gemäß § 1001, Title 18 des US-Code strafbar sind und mit Geldstrafe und/oder Gefängnis bestraft werden können und daß derartige wissentlich und vorsätzlich falsche Angaben die Rechtswirksamkeit der vorliegenden Patentanmeldung oder eines aufgrund deren erteilten Patentes gefährden können.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### German Language Declaration

**VERTRETUNGSVOLLMACHT:** Als benannter Erfinder beauftrage ich hiermit den (die) nachstehend aufgeführten Patentanwalt (Patentanwälte) und/oder Vertreter mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Angelegenheiten vor dem US-Patent- und Markenamt:

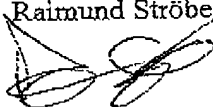
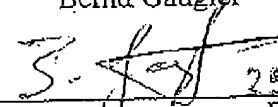
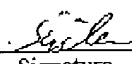
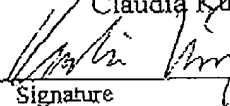
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

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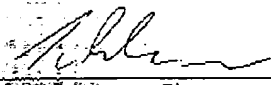
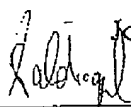
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